

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
VACANT, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
FEBRUARY 26, 2008
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:06 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Melina Castro, Rachel Quintana, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Early departure: Ann Morgan Lilly at 12:58 p.m. The invocation was given by Reverend Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. NATIONAL GIRLS AND WOMEN IN SPORTS DAY
2. ORO TEMPLE AND ORO COURT'S POTENTATE AND COMMANDRESS CELEBRATION
3. WELCOME HOME HEROES PARADE

RECOGNITION

HONORARY CITIZEN CERTIFICATES

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Eulalio Rodriguez
2. Ray Gilbert

Mayor Cook and Representatives Byrd and Ortega commented.

Ms. Joyce Wilson, City Manager, commented and Mr. Charlie Mc Nabb, City Attorney gave legal advice.

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of February 19, 2008.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

That the City Manager be authorized to sign a Certificated Passenger Airline Lease by and between the City of El Paso and Pacific Wings, LLC d/b/a New Mexico Airlines in substantially the same form as attached.

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3B.

***RESOLUTION**

That the City Manager be authorized to sign a Building Lease Agreement Extension by and between the City of El Paso and Sky Chefs, Inc. for their Inflight Catering Service Kitchen at the Air Cargo Facility located at 6501 Convair Road in substantially the same form as attached.

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3C.

***RESOLUTION**

That the City Manager be authorized to sign a Developer's Participation Agreement between the City of El Paso and Jardines Del Valle LP, to allow the City to participate in the cost of the construction of improvements for Ocotillo Street, in an amount not to exceed sixty thousand eight hundred and sixty four dollars and 30/100 (\$60, 864.30) in accordance with Local Government Code Section 212.071, and with Section 19.28.030 of the City Subdivision Code.

Representatives Quintana, Byrd, and O'Rourke commented.

Ms Joyce Wilson, City Manager, and Mr. Javier Reyes, Engineering Division Manager, commented.

Mr. Richard Schecter and Ms. Lisa Turner, citizens, commented.

3D.

***R E S O L U T I O N**

WHEREAS, on May 9, 1989, the City of El Paso and Resource Development Corporation, entered into a lease agreement which allowed Resource Development Corporation to construct and maintain a private road across City-owned property that is held by the City for drainage purposes in Tract 8, Block 15, Ysleta Grant, City of El Paso, El Paso County, Texas; and

WHEREAS, the May 9, 1989 lease with the City of El Paso states that Resource Development Corporation cannot assign the lease agreement without the prior written consent of the El Paso City Council; and

WHEREAS, Resource Development Corporation sold its property which abuts the City-owned tract to the Davidson Group, which in turn sold the property to El Paso Communities, LP, and El Paso Communities, LP needs access across the City land; and

WHEREAS, neither Resource Development Corporation nor the Davidson Group requested the City of El Paso's prior written consent of the assignment of the Lessee's interest in the May 9, 1989 lease to allow for continued access across the City-owned land; and

WHEREAS, the City of El Paso does not object to El Paso Communities, LP's acceptance of the Lessee's interest in the identified lease if El Paso Communities, LP submits an application to the City of El Paso to purchase the Premises as soon as is reasonably possibly pursuant to City procedures,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign an Assignment of Lease which consents to El Paso Communities, LP's acceptance of the Lessee's interest in the May 9, 1989 lease between the City of El Paso and Resource Development Corporation to construct and maintain a private road across City-owned property that is held for drainage purposes in Tract 8, Block 15, Ysleta Grant, City of El Paso, El Paso County, Texas.

Representatives Quintana and Holguin commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Gonzalo Cedillo, Capital Assets Manager
3. Mr. Charlie McNabb, City Attorney, gave legal advice.

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3E.

***R E S O L U T I O N**

That the Mayor and City Council review and accept the El Paso Police Department's Contact Data (Racial Profiling) Annual Report covering the period of January 1, 2007 through December 31, 2007.

Representatives Byrd and Holguin commented.

Ms. Joyce Wilson, City Manager, and Interim Chief of Police Gregory Allen commented.

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3F.

***R E S O L U T I O N**

WHEREAS, the El Paso City Council finds it in the best interest of the citizens of El Paso that the Domestic Abuse Response Team be operated for the time period of September 1, 2008 to August 31, 2009; and

WHEREAS, the El Paso City Council agrees to provide the applicable in-kind match for the said project as required by the Office of the Governor grant application; and

WHEREAS, The El Paso City Council agrees that in the event of loss or misuse of the Criminal Justice Division funds, the El Paso City Council assures that the funds will be returned to the Criminal Justice Division in full; and

WHEREAS, the El Paso City Council designates City Manager Joyce Wilson as the grantee's authorized official, who is given the power to apply for, accept, reject, alter, terminate, or authorize the transfer of funds of the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the El Paso City Council approves submission of the grant application for the Domestic Abuse Response Team project to the Office of the Governor, Criminal Justice Division.
2. The City Manager be authorized to sign the grant application including all understandings and assurances contained therein, as well as apply for, accept, reject, alter or terminate the grant in the amount of \$103,200 from the El Paso Police Department to the Office of the Governor, Criminal Justice Division, for the purpose of continuing the efforts of the El Paso Police Department's Domestic Abuse Response Team.
3. The City of El Paso agrees to provide an in-kind match in the amount of \$56,950.
4. The El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City of El Paso receives or provides to its police department at or after the time the grant is awarded.
5. The City Manager be authorized to sign Cooperative Working Agreements relating to the grant with the following agencies: El Paso County Sheriff's Office; Diocesan Migrant and Refugee Services, Inc., Battered Spouse Program; STARS; El Paso County District Attorney, Victim Assistance Program; El Paso County District Attorney, Domestic Violence Unit; El Paso County Attorney's Office, VOCA Protective Orders Program; Center Against Family Violence; Advocacy Center for the Children of El Paso; West Texas Community Supervision and Corrections Department, Victim Services Program; Rio Grande Council of Governments; and Family Service of El Paso, Crime Survivors Counseling Program.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, and Interim Chief of Police Gregory Allen commented.

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4. DISCRETIONARY FUNDS

*Motion made, seconded, and unanimously carried to **APPROVE** the request to expend District 7 discretionary funds in the amount of \$1,900 (Special Council Projects) for the purpose of placing a mural at the Judge Marquez Library.

5A. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to Sierra Machinery in the amount of \$112,879 for the purchase of a wheeled bucket loader. Sierra Machinery is a TXMAS vendor under TXMAS State Contract TXMAS-7-23V010-1. Participation by the City of El Paso in the TXMAS State Contract was approved by Mayor and Council on March 6, 2007.

Department:	General Services
Account No.:	37150068 - 27507 – 508006
Funding Source:	Equipment Replacement Fund
Total Estimated Award:	\$112,879
Reference No.:	2008-135

Representative Ortega commented.

Mr. Terrence Freiburg, Purchasing Manager, commented.

5B. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to ACCELA Inc., the sole source provider of ACCELA software products: Tidemark/ACCELA Permit Plan, Designer, E-Connect, GIS, Cashier, IVR API, and ACCELA Wireless for a total estimated amount of \$103,245.47.

Department:	Information Technology
Total Estimated Amount:	\$103,245.47
Account No.:	39010351 – 16371 - 502202
Funding Source:	Information Services, Operating Account, Data Processing Service Contracts
Sole Source No.:	2008-142

Representative O'Rourke commented.

Ms. Joyce Wilson, City Manager, and Mr. Gerald Gordier, Chief Information Officer and Information Technology Director, commented.

5C. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

1st MOTION

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:27 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Section 551.071, Consultation with Attorney.

2nd MOTION

Motion made by Representative Quintana, seconded by Mayor Pro Tempore Byrd, and unanimously carried to adjourn the **EXECUTIVE SESSION** at 10:33 a.m. and **RECONVENE** the meeting of the City Council.

3RD AND FINAL MOTION

*Motion made, seconded, and unanimously carried to **DELETE** the request that the Purchasing Manager for Financial Services, Purchasing Division, exercise the City's option to extend current Contract 2006-065 (Electric Cart Operator Services) with RMPersonnel, Inc. for one additional year pursuant to the provisions to an award approved by City Council on February 14, 2006. Contract period is March 1, 2009, to February 28, 2010.

Department:	Airport
Item:	1
Account No.:	62620005 - 502215 - 40101
Funding Source:	Airport Operating Funds
Total Estimated Award:	\$87,184.50

Mayor Cook and Representatives Quintana, Ortega, Holguin, Byrd, and O'Rourke commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Terry Sharp, Airport Operations Manager
3. Mr. Terrence Freiburg, Purchasing Manager
4. Mr. Charlie McNabb, City Attorney

6A. – 6K. INTRODUCTIONS

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Quintana, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- A.** An Ordinance extending the term of Ordinance 16013 which granted a Special Privilege to Mario Hernandez, Hector Cobos, Jr., Eber Martinez, Maria Cobos, Margarita Cobos, Juan Torres, Pedro Orona, Hector Cobos, Maria Prieto, Maria Grado, Jack Kellog, Jesus Hernandez, Eusebio Coronel, Victor Ochoa, Carmen Cox, Maria Chavez, Eunise Morales, Maria Barraza, Santiago Aguilar, and Brandon Palma to encroach onto a portion of various public rights-of-way with a food-vending concession in the Downtown Area.
- B.** An Ordinance of the City of El Paso, Texas, amending Ordinance No. 016735 which authorized the sale and conveyance of 4,832.99 acres of land, more or less, out of Blocks 80 and 81, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, to Hunt Communities, LLC, to revise the date of the initial closing date for the purchase of the Phase One Parcel.
- C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A), of the El Paso City Code by adding a new location on Pine Springs Drive from Loma Verde Drive west to its terminus. The penalty being as provided in Section 12.88.180 of the El Paso City Code.

- D. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of the El Paso City Code to add Zone R: No Parking 8:00 a.m. – 2:00 p.m., School Days Only. (Sunset Heights locations listed in the Ordinance) The penalty being as provided in Section 12.84.010 (Violations - Penalty) of the El Paso City Code.
- E. An Ordinance authorizing the City of El Paso to sell a 1.859-acre parcel (88,977 sq. ft.), more or less, being all of Tracts 3, 4, 8A, and 8B, Block 45, Ysleta Grant, El Paso, El Paso County, Texas, to Omega Paving Contractors, Inc.
- F. An Ordinance authorizing the City of El Paso to sell a 0.756-acre parcel (32,591 sq. ft.), more or less, being all of Tract 6, Block 45, Ysleta Grant, El Paso, El Paso County, Texas, to Omega Paving Contractors, Inc.

PUBLIC HEARING WILL BE HELD ON MARCH 4, 2008, FOR ITEMS 6A – 6F

- G. An Ordinance changing the zoning of a portion of Tracts 1 and 2, Bootheville Unit Two, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-3 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8517 Fortune Court. Applicants: Stephen J. Cohen and Erika S. Cohen, CAD Consulting, Representative.
- H. An Ordinance changing the zoning of Tract 3-B, S.A. & M.G. Survey No. 266, City of El Paso, El Paso County, Texas, from C-1/C (Commercial/Condition) to C-3/C (Commercial/Condition). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- I. An Ordinance changing the zoning of all of Lot 6, the north 20 feet of Lot 5, and the south 4 feet of Lot 7, Block 56, Alexander Addition, City of El Paso, El Paso County, Texas, from A-3 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- J. An Ordinance granting Special Permit No. ZON07-00084 to allow for a 24% parking reduction on the property described as a portion of the A.T. & S.F. Railway Company Yard and portions of Lots 2 - 9, Block 72, Campbell Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.
- K. An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Review Procedures), Section 20.04.380 (Application Requirements), of the El Paso City Code to remove the requirement for a site plan. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON MARCH 18, 2008, FOR ITEMS 6G – 6K

7. FINANCIAL SERVICES

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried to **AWARD AS REVISED** Solicitation No. 2008-048 (Storm 2006: Pershing Dam Basin Improvements) to Dan Williams Company for an estimated total estimated minimum amount of \$1,275,215.50.

Department:	Engineering
Award to:	Dan Williams Company
	El Paso, Texas
Items:	Base Bid I: \$1,254,005 (Lump Sum)
	Alternate No. 1, Line Item 1: \$21,210.50 (Unit Price)

Total Est. Min. Award: \$1,275,215.50
Account No: PSTM06PW527 – 27264 – 14200500 – 508027
Funding Source: Storm 2006 Bond Issue

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

1. Lump Sum- Base Bid

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order without further authorization by City Council.

2. Unit Price – Alternate 1

Work under this unit price contract is only an estimated minimum value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, lump-sum and unit-price contract.

The Departments of Financial Services, Purchasing Division, and Engineering recommend award as indicated to the lowest responsive, responsible bidder.

Representative Byrd commented.

Mr. Terrence Freiburg, Purchasing Manager, commented.

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8.

R E S O L U T I O N

That the City Manager be authorized to sign a Letter of Engagement by and between the City of El Paso and Paul A. Braden, Fulbright & Jaworski L.L.P., to serve as bond counsel to the City of El Paso.

Mayor Cook and Representatives Byrd and Ortega commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. William Studer, Deputy City Manager of Financial and Administrative Services
3. Mr. Charlie McNabb, City Attorney, gave legal advice.

Mr. Richard Schecter, citizen, commented

Motion made by Representative Ortega, seconded by Representative O'Rourke, and unanimously carried to **APPROVE** the Resolution.

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9A.

ORDINANCE 16843

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF EL PASO, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2008”; AND RESOLVE MATTERS WHICH ARE NECESSARY TO EFFECTUATE SAID ISSUANCE.**

Mr. Steven Adams, First Southwest Company, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor Cook and Representatives Holguin, Byrd, Quintana, and O’Rourke commented.

Ms. Joyce Wilson, City Manager, and Mr. William Studer, Deputy City Manager of Financial and Administrative Services, commented.

Mr. Paul Braden, Bond Counsel with Fulbright & Jaworski, LLP, commented

Mr. Richard Schechter and Ms. Lisa Turner, citizens, commented.

1st MOTION

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Schechter an additional two minutes to address the Council.

2nd AND FINAL MOTION

Motion duly made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, that the Ordinance be **ADOPTED AS REVISED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Ortega, and O’Rourke

NAYS: None

ABSTAIN: Holguin

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED AS REVISED**.

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9B.

ORDINANCE 16844

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF EL PASO, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008A”; AND RESOLVE MATTERS WHICH ARE NECESSARY TO EFFECTUATE SAID ISSUANCE.**

Mr. Steven Adams, First Southwest Company, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor John Cook and Representatives Holguin, O’Rourke, Byrd, and Quintana commented.

Mr. Paul Braden, Bond Counsel with Fulbright & Jaworski, LLP, commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. William Studer, Deputy City Manager of Financial and Administrative Services
3. Ms. Carmen Arrieta-Candelaria, Chief Financial Officer of Financial Services
4. Mr. Charlie McNabb, City Attorney, gave legal advice.

Mr. Richard Schecter and Ms. Lisa Turner, citizens, commented.

Motion duly made by Representative O'Rourke, seconded by Representative Ortega, that the Ordinance be **ADOPTED WITH THE LATEST RED LINE VERSION FILED AT COUNCIL ON FEBRUARY 26, 2008 AND TO INCLUDE A REPORT BACK TO COUNCIL IF THE CITY MANAGER TAKES ACTION.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Ortega, and O'Rourke

NAYS: None

ABSTAIN: Representative Holguin

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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10A.

ORDINANCE 16845

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 8B, BLOCK 11, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH AND FARM) TO R-2 (RESIDENTIAL) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Phillip Etiwe, Development Review Manager, commented.

Motion duly made by Representative Lilly, seconded by Representative Ortega, that the Ordinance be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Castro, Quintana, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Byrd and Holguin

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED.**

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10B. PUBLIC HEARING – DEVELOPMENT SERVICES

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **DENY** the Ordinance granting Special Permit No. ZON06-00148 to allow for an infill development to allow reduced lot depth and setbacks on the property described as a portion of Tracts 8 and 9, Block C, Christy

Tract, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030.C of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

Mr. Phillip Etiwe, Development Review Manager, presented a Power Point presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Castro, Ortega, Holguin and Quintana commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Raymond Bonilla, representing the property owner
2. Mr. Dan Urquidi
3. Ms. Elizabeth Candelaria
4. Mr. Ruben Perea Jr.
5. Ms. Yadira Gonzalez, applicant
6. Ms. Veronica Gonzalez, applicant

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11A.

ORDINANCE 16846

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) OF THE EL PASO CITY CODE TO ADD A NEW LOCATION ON THE SOUTH SIDE OF BASSETT AVENUE BETWEEN WILLIAMS STREET AND LAUREL STREET. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Representative O'Rourke commented.

Mr. Ted Marquez, Traffic and Transportation Engineer, commented.

Motion duly made by Representative O'Rourke, seconded by Mayor Pro Tempore Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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11B.

ORDINANCE 16847

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), SUBSECTION "R" (SPEED LIMITS ON THE NORTH-SOUTH FREEWAY), SUBPARAGRAPH 4 (ON THE FRONTAGE ROADS), OF THE EL PASO CITY CODE TO AMEND THE SPEED LIMITS ON THE NORTH-**

SOUTH FREEWAY FRONTAGE ROAD. THE PENALTY IS AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.

Motion duly made by Mayor Pro Tempore Byrd, seconded by Representative Castro, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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12A.

R E S O L U T I O N

WHEREAS, the book, *The Great Neighborhood Book*, by Jay Walljasper would serve as an excellent resource for the leaders of the Neighborhood Associations; and

WHEREAS, the Representative for District #2 has already determined that funding is available in the discretionary fund account for the District #2 Representative for the purchase of these books for the Neighborhood Associations in District #2; and

WHEREAS, the City Council finds that the purchase of these books and furnishing a copy to the leaders of the Neighborhood Associations within the district of a Representative as determined by the Representative, is of such benefit to the City that it constitutes an important public purpose or benefit to the City and citizens of El Paso for which the City is willing to expend discretionary funds.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Council finds that the purchase of the book, *The Great Neighborhood Book*, by Jay Walljasper and the furnishing of a copy to the leaders of Neighborhood Associations, per the determination of a City Representative, constitutes an important public purpose to the City, and the expenditure of discretionary funds for such purpose is authorized as appropriate.

Mayor Cook and Representatives Byrd and Holguin commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Holguin, and unanimously carried to **APPROVE** the Resolution.

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12B. MAYOR AND COUNCIL

Discussion and action on the State Legislative Agenda related to Low Income Tax Credits.

Mayor Cook and Representative Byrd, Ortega, and Quintana commented.

Ms. Sylvia Borunda Firth, Director of Governmental Affairs and Senior City Attorney, gave legal advice and Mr. William Lilly, Director of Community Development, commented.

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, and unanimously carried to **APPROVE** the Resolution

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13A. DEVELOPMENT SERVICES

Motion made by Representative Holguin, seconded by Representative O' Rourke, and unanimously carried to **APPROVE** a Conditional B permit for Mesquite Trails Unit One Subdivision based on a finding of economic hardship.

Mr. Larry F. Nichols, Deputy Director of Building Permits and Inspections, commented.

AYES: Representatives Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke
NOT PRESENT FOR THE VOTE: Representative Lilly

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13B.

R E S O L U T I O N

WHEREAS, SW C-Stores, LLC, (the "Applicant") has applied for approval of a detailed site development plan pursuant to a zoning condition, which requires City Plan Commission and City Council approval, to permit the construction and development of a convenience store to include a gas pump island; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to requirements imposed by a zoning condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a convenience store to include a gas pump island on the following described property which is located in a C-1/C (Commercial/Contract) District:

A portion of Lot 18, Block 2, Montwood Heights Unit Four, El Paso, El Paso, County, Texas, as more particularly described by metes and bounds on the attached Exhibit "A" and incorporated herein by reference.

A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-1/C (Commercial/Contract) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-1/C (Commercial/Contract) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Representative Quintana commented.

Mr. Phillip Etiwe, Development Review Manager, commented.

Motion made by Representative Holguin, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Lilly

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14. MUNICIPAL CLERK

*Motion made, seconded, and unanimously carried to **POSTPONE** for one week discussion and action on the appointment of additional Municipal Court Associate Judges.

Federico Soforo

Michele Locke

Victor Parra

Regina Arditti

Mayor Cook and Representatives O'Rourke, Ortega, and Quintana commented.

The following members of City staff commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Charlie McNabb, City Attorney gave legal advice
3. Ms. Richarda D. Momsen, Municipal Clerk

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ADDITION TO THE AGENDA

1A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Susan Leech to the City Accessibility Advisory Committee by Representative Melina Castro, District 4.

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ADDITION TO THE AGENDA

1B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Buddy Ray York to the Committee on Border Relations by Representative Melina Castro, District 4.

Motion made by Representative Holguin, seconded by Representative O' Rourke, and unanimously carried to **ADJOURN** this meeting at 1:01 p.m.

NOT PRESENT FOR THE VOTE: Representative Lilly

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk